

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claims 7 and 17-20 have been cancelled, while claims 1, 10, 14 and 16 have been amended to include the limitations of cancelled claim 7. In addition, the claims have been amended for clarity.

Applicants believe that the above changes answer the Examiner's 35 U.S.C. 101 and 112, paragraph 1, rejections of claims 17-19, and respectfully request withdrawal thereof.

The Examiner has rejected claims 1, 4-6, 9-13, 16 and 20 under 35 U.S.C. 102(a) as being anticipated by International Patent Application No. WO 01/33852 to OPENTV. The Examiner has further rejected claims 2, 3 and 8 under 35 U.S.C. 103(a) as being unpatentable over OPENTV in view of U.S. patent 5,768,539 to Metz et al. In addition, the Examiner has rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over OPENTV in view of U.S. Patent 5,625,693 to Rohatgi et al. Furthermore, the Examiner has rejected claims 14 and 15 under 35 U.S.C. 103(a) as being unpatentable over OPENTV in view of Rohatgi et al. Finally, the Examiner has rejected claim 19 under 35 U.S.C. 103(a) as being unpatentable over OPENTV.

In view of the above changes, Applicants believe that the Examiner's 35 U.S.C. 102(a) rejection has been overcome.

The OPENTV reference discloses a system and method for recording pushed interactive data streams of a program. A pushed data stream is broadcast to a receiving station. The data stream

includes one or more data objects. The data stream may also reference to live data objects which are intended for immediate consumption and become obsolete thereafter. The data stream may include a file table and object properties corresponding to the data objects. When the data stream is received by the receiving station, the individual data objects are extracted from the data stream. The data objects, accompanying object properties and the file table are then stored on a storage device. Data objects which are external to the data stream or to the program (e.g., data objects from other carousels) are retrieved and are also stored. Live data objects are not stored, but references to these data objects are stored, so that when the program is replayed, current versions of the referenced live data objects can be used. A program not being recorded may contain data objects which are flagged to be cached which are recorded automatically. Consequently, other programs may subsequently access them from the recording when they are played.

The Rohatgi et al. patent discloses apparatus and method for authenticating transmitting applications in an interactive TV system, in which particular modules may only be executed by authorized receivers, whereby the modules include respective hash values which are also included in a Directory Module, and a receiver's certificate is decoded and if authenticated, the receiver may then only execute the program if the receiver generated hash values are identical to those contained in the Directory Module.

The Examiner has indicated that OPENTV discloses a method and use of transmitting interactive television, whereby at least an interactive television application is transmitted inside application-modules in a broadcast stream, said method comprising the step of signaling storage related information of said modules in, said broadcast stream [p. 4, 32-35; p. 5, 26 -27, pp. 6-7, lines 37-5]. The Examiner has further indicated "OPENTV does not disclose a secure protocol including permissions and mandatory modules. However, Rohatgi teaches a system for authenticating transmissions of interactive applications, in which the storage related information whether or not the module can be recorded. [cols. 7-8, 44-38]. The motivation to modify OPENTV with the teachings of Rohatgi is to prevent unauthorized access to content; an advantage that would have been obvious to one skilled in the art of interactive television signaling.

Applicants submit that the Examiner is misunderstanding the subject invention. In particular, the object of the subject invention is to identify, when a user desires to record the broadcast stream, which applications in the broadcast stream need to be recorded (mandatory), which applications would be desirable to be recorded (optional) and which application are not to be recorded (forbidden to record). There is no authorizing of a particular receiver and the prevention of the receiver from executing the programs if the receiver is not authorized. Rather, the categorizing of the files is applicable to all receivers having a recording capability. For example, some files must be recorded in

order for the application to run. These files would then be designated "mandatory". Further, other files should not be recorded, e.g., they requires current information. These files would then be designated "forbidden to record". Finally, there may be files which if recorded yield additional, optional features. These files would be designated "optional".

Hence, the subject invention categorizes the modules for the benefit of all receivers have a recording capability, while OPENTV/Rohatgi et al. restricts the availability of the information to certain select receivers which are authorized.

The Metz et al. patent discloses downloading applications software through a broadcast channel, which arguably discloses using DSMCC modules to transmit application data. However, Applicants submit that Metz et al. does not supply that which is missing from OPENTV and Rohatgi et al., i.e., signaling storage related information, and that the storage related information comprises categories stating whether said modules are mandatory, optional or forbidden to record.

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, either individually or collectively, and as such, is pstentable thereover.

Applicants believes that this application, containing claims 1-6 and 8-16, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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